
George W. Reeder - May 23, 2019

Bird's Botanicals, Inc., et al. vs Interstate Underground Warehouse, et al.



Quality transcripts. On time.

(913) 825-2510

8700 Monrovia, Suite 310
Lenexa, Kansas 66215-3500

Fax (913) 825-2530

www.cornerstonekc.net

office@cornerstonekc.net

1	IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI	1	TABLE OF CONTENTS	Page 3
2	AT INDEPENDENCE	2	EXAMINATION	
3		3	Questions By Mr. Votava	5
4		4		
5	BIRD'S BOTANICALS, INC., et al.,	5	EXHIBITS	
6	Plaintiffs,	6	1 - "2018 Annual Registration Report"	16
7	vs. Case No. 1816-CV29012	7	2 - 2/16/18 "Live System Incident Report"	35
8	INTERSTATE UNDERGROUND Division 16	8	3 - 2/16/18 Kansas City Missouri Fire	69
9	WAREHOUSE AND INDUSTRIAL	9	Department "Incident Report"	
10	PARK, INC., et al.,	10	4 - 10/20/18 Kansas City Missouri Fire	71
11	Defendants.	11	Department "Incident Report"	
12		12	5 - 10/25/18 KCFD Fire Prevention Division	80
13		13	"Consent To Search"	
14		14	6 - 11/8/18 zoning ordinance violation letter	87
15	VIDEO-RECORDED DEPOSITION OF GEORGE W. REEDER,	15	from Winklaar-Kirkwood to Reeder	
16	a Defendant, taken on behalf of the Plaintiffs,	16	7 - Aerial photograph	88
17	pursuant to Notice, on May 23, 2019, at the HINKLE	17	8 - Aerial photograph (black-and-white version	96
18	LAW FIRM, LLC, 6800 College Boulevard, Suite 600,	18	of Exhibit 7)	
19	Overland Park, Kansas, before	19	9 - 12/31/18 letter from Reeder to	99
20		20	Winklaar-Kirkwood and Brookhouser	
21	MYLES A. MEGEE	21	10 - 1/4/19 letter from Reeder to	100
22		22	Winklaar-Kirkwood	
23	Certified Realtime Reporter, Registered Professional	23	11 - 9/19/17 Kansas City Star article	114
24	Reporter, Certified in Kansas, Missouri, and Iowa.	24		
25		25		

1	APPEARANCES	1	TABLE OF CONTENTS (Continued)	Page 4
2	For the Plaintiffs:	2		
3	MR. BRETT T. VOTAVA	3	CERTIFICATE OF REPORTER	126
4	MR. TODD M. JOHNSON	4	ERRATA SHEET	127
5	VOTAVA, NANTZ & JOHNSON, LLC	5	SIGNATURE PAGE	128
6	9237 Ward Parkway, Suite 240	6		
7	Kansas City, Missouri 64114	7	Reporter's Note: The original exhibits were	
8	bvotava@vnjlaw.com	8	attached to the original transcript.	
9	tjohnson@vnjlaw.com	9		
10	(816) 895-8800	10	(ph) indicates a phonetic spelling.	
11		11	[sic] indicates the text is as stated.	
12	For the Defendants:	12	Quoted text is as stated by the speaker.	
13	MR. J. PHILIP DAVIDSON	13		
14	MR. PAUL J. SKOLAUT	14		
15	HINKLE LAW FIRM, LLC	15		
16	1617 North Waterfront Parkway, Suite 400	16		
17	Wichita, Kansas 67206	17		
18	pdavidson@hinklaw.com	18		
19	jskolaut@hinklaw.com	19		
20	(316) 267-2000	20		
21		21		
22	Videographer:	22		
23	MR. NATE BOGERT	23		
24	TESTIMONIAL VIDEO	24		
25	527 Northrup Avenue	25		
	Kansas City, Kansas 66101			
	(913) 831-0060			

Page 5

1 THE VIDEOGRAPHER: Good morning. My name is
2 is Nate Bogert with Testimonial Video. Today is
3 May 23rd, 2019. We'll go on the record at
4 approximately 9:07 a.m. We're here to take a video
5 deposition in Case No. 1816CV29012 for the Circuit
6 Court of Jackson County, Missouri.
7 Would counsel state their name and
8 affiliation for the record, please.
9 MR. VOTAVA: Brett Votava and Todd Johnson
10 for plaintiffs.
11 MR. DAVIDSON: Philip Davidson and Jay
12 Skolaut on behalf of the defendants.
13 THE VIDEOGRAPHER: Thank you.
14 Myles, would you swear the witness,
15 please.
16 GEORGE W. REEDER,
17 a Defendant, being first duly sworn, testified under
18 oath as follows:
19 EXAMINATION
20 BY MR. VOTAVA:
21 Q. Sir, could you give us our name -- your
22 name for the record, please.
23 A. George Wayne Reeder.
24 Q. And what is your home address?
25 A. 600 East Admiral Boulevard, Kansas City,

Page 6

1 Missouri, No. 2001 -- 2002.
2 Q. That's the unit number?
3 A. Yes.
4 Q. And what's your business address?
5 A. Business address?
6 Q. Yes.
7 A. Well, that's the business address. I work
8 out of that -- my -- where I reside.
9 Q. You work out of your home?
10 A. And I do have offices at 8201 East 23rd
11 Street, Kansas City, Missouri. That's Interstate
12 Underground Warehouse executive offices.
13 Q. You've given about 20 depositions over
14 your life; correct?
15 A. I don't know if I've done that many, but
16 thank you.
17 Q. You've given a deposition before?
18 A. I have.
19 Q. Okay. And so you have some familiarity
20 with the ground rules and what goes on in a
21 deposition?
22 A. Yes, sir.
23 Q. All right. If I ask you any questions
24 that are unclear today, will you ask me to restate
25 them?

Page 7

1 A. I will.
2 Q. If you --
3 A. And I would also ask that you -- I -- I --
4 I need a hearing aid, but I haven't bought one yet;
5 so, both gentlemen, I want to make sure you -- I
6 don't say, "What did you say?"
7 So if you could speak up, I would
8 appreciate it.
9 Q. I will do my best to speak up.
10 A. Okay.
11 Q. And you're not going to hurt my feelings
12 if you say, "I didn't hear a thing you just said" or
13 "You're talking too fast" or whatever it is. I
14 just -- let me know if you don't understand --
15 A. Yeah.
16 Q. -- my question. Okay?
17 A. I -- I will.
18 Q. If you do answer my question, is it fair
19 for me to assume you understood what I was asking?
20 A. Absolutely.
21 Q. All right. In preparation for today's
22 deposition, did you talk with anyone other than the
23 lawyers?
24 A. No.
25 Q. Did you review any documents before today?

Page 8

1 A. I did a scan at my interrogatory.
2 Q. Okay. Did you look at anything else
3 besides your inte- -- interrogatory answers?
4 A. No.
5 Q. Did you look at any photographs before
6 today?
7 A. No. Well, I've looked at them maybe many
8 months ago but not recently.
9 Q. Okay. And we're -- what -- what
10 photographs did you look at related to this case
11 recently?
12 A. I don't even recall.
13 Q. Okay. Do you have any written or recorded
14 statements by David Bird or anyone at Bird's
15 Botanicals related to this issue that you know of?
16 A. No, I --
17 Q. Okay.
18 A. -- don't have any. None, I should say. I
19 know of none.
20 Q. And you were born July 25, 1932; is that
21 correct?
22 A. Yes.
23 Q. And you graduated from high school in
24 Bakersfield, California?
25 A. Yes.

Page 9

1 Q. And you graduated from college at UCLA?
2 A. Yes.
3 Q. And then I understand you attended
4 graduate school but didn't get a graduate degree.
5 A. That is true. At UCLA.
6 Q. And, then, you've been living in Missouri
7 since around the year 2000; is that correct?
8 A. That's basically right, uh-huh.
9 Q. Interstate Underground Warehouse and
10 Industrial Park, Inc., is a company that owns a cave
11 located at 802 -- strike -- strike that.
12 Interstate Underground Warehouse and
13 Industrial Park, Inc., is a company that owns a cave
14 located at 8201 East 23rd Street in Kansas City,
15 Missouri; true?
16 A. True.
17 Q. And that's over by 435 and I-70; is that
18 right?
19 A. 435 and 23rd Street.
20 Q. Okay. And Interstate also owns the land
21 above the cave, to your knowledge; is that correct?
22 A. That is true.
23 Q. That cave on 23rd Street is the only cave
24 that Interstate owns; correct?
25 A. Yeah. That property.

Page 10

1 Q. Sure. But there's not others -- types of
2 caves that Interstate owns other than that one
3 located on 23rd Street; right?
4 A. True.
5 Q. And that Interstate cave provides storage
6 services, freezers, and some businesses actually
7 operate in that cave; is that right?
8 A. Yes.
9 Q. The fir -- your first time in that cave
10 was in the 1970s; is that correct?
11 A. I think that's when we purchased it.
12 Q. And when you say "we," you mean you and
13 your ex-wife, Sammy Jo Reeder?
14 A. Yes. It was a corporation.
15 Q. Okay. You've been around the Interstate
16 cave for over 45 years; is that correct?
17 A. That is true.
18 Q. Is it correct that you know more about the
19 Interstate cave on 23rd Street than anyone else?
20 MR. DAVIDSON: Object to form.
21 You can answer.
22 A. You're being very complimentary, but I
23 would say I have great knowledge of it. I don't
24 know -- someone might have more than me, but I don't
25 know who.

Page 11

1 Q. (By Mr. Votava) Do you recall ever
2 testifying that you know more about the cave of
3 Interstate -- strike that.
4 Do you remember testifying that you know
5 more about the Interstate cave on 23rd Street than
6 anyone else?
7 A. I have a vague recollection of that.
8 Q. And so you wouldn't disagree with that?
9 A. No, I wouldn't disagree with it.
10 Q. Were you an employee of Interstate
11 Underground Warehouse and Industrial Park, Inc., in
12 2018?
13 A. No.
14 Q. My understanding is you are a consultant
15 of Interstate Underground Warehouse and Industrial
16 Park, Inc., in 2018. Is that correct?
17 A. That is true.
18 Q. How many years have you been a consultant
19 for Interstate?
20 A. About 20 -- almost 20 years, I think it
21 is.
22 Q. So ever since you moved to Missouri,
23 you've been a consultant for Interstate?
24 A. I would say that's a true statement,
25 uh-huh.

Page 12

1 Q. And you're still a consultant for
2 Interstate today; correct?
3 A. Yes.
4 Q. Do you have any assigned job duties at
5 Interstate?
6 A. No.
7 Q. What do you do as a consultant for
8 Interstate on a daily basis?
9 A. I don't do anything for them on a daily
10 basis.
11 Q. What do you do as a consultant for
12 Interstate?
13 A. I try to answer questions if I'm asked or
14 anything that would -- is -- if they have a question
15 regarding some -- something regarding Interstate
16 that I might have previously knowledge of or
17 something, I'm most happy to consult with them on
18 it.
19 Q. Who commonly asks you questions from
20 Interstate?
21 A. It could be any -- anyone -- an officer or
22 a employee or -- various people.
23 Q. No one person at Interstate asks you more
24 questions than the other?
25 A. No. I -- I -- I -- I would think that is

Page 13

1 true.
2 **Q. Did you have any authority to act on**
3 **behalf of Interstate in 2018?**
4 A. No.
5 **Q. Now, you worked as a consultant at**
6 **Interstate's cave -- strike that.**
7 **Did you report to the Interstate cave on a**
8 **daily basis in 2018?**
9 A. No.
10 **Q. How often would you go to the -- strike**
11 **that.**
12 **Did you go to the Interstate cave on 23rd**
13 **Street on a regular basis in 2018?**
14 A. I go on a -- on a -- I don't keep track of
15 my days or hours or whatever, but if I'm needed, I
16 am there, and if I'm not needed, I might not be
17 there.
18 **Q. How many days a week on average do you**
19 **think you spend at the Interstate cave on 23rd**
20 **Street?**
21 A. Oh, it varies.
22 **Q. From what to what?**
23 A. From zero to two or three, four days in a
24 row.
25 **Q. Prior to becoming a consultant at the**

Page 14

1 **Interstate cave, were you an owner of the cave?**
2 A. Yes.
3 **Q. How many years were you the owner of the**
4 **cave?**
5 A. Since inception about purchasing in the
6 '70s.
7 **Q. And then through the time of your divorce**
8 **in 1992 from Sammy Jo Reeder?**
9 A. Yes.
10 **Q. From the time of your divorce in 1992**
11 **until around 2000, when you moved back to Missouri,**
12 **did you have any role with Interstate during that**
13 **time?**
14 A. Did I what?
15 **Q. Sure. Between the time of your divorce in**
16 **1992 and the time you moved back to Missouri and**
17 **became a consultant, did you have any role at**
18 **Interstate cave?**
19 A. No.
20 **Q. And --**
21 A. I -- no active role.
22 **Q. What other role is there?**
23 A. Well, if someone might have called me or
24 asked me some -- a question, I would be happy to do
25 it.

Page 15

1 **Q. And you technically retired about 20 years**
2 **ago; is that correct?**
3 A. Yes.
4 **Q. And you were a businessman before you**
5 **retired; is that correct?**
6 A. Yes, I was. Of sorts.
7 **Q. And your ex-wife, Sammy Jo Reeder, is the**
8 **sole owner of the Interstate cave; correct?**
9 A. To my knowledge, yes.
10 **Q. And she's the sole owner of Interstate**
11 **Underground Warehouse and Industrial Park; correct?**
12 A. Well, she's in charge of -- of the --
13 hundred percent owner of that corporation, yes.
14 **Q. She is your --**
15 A. To my knowledge.
16 **Q. Strike. Sorry.**
17 **She is your boss?**
18 A. I -- I think she is chairman of the board,
19 and that would be the boss.
20 **Q. And as consultant at Interstate, you**
21 **report directly to her; correct?**
22 A. I report directly to anyone that she asks
23 me to or any of the other executives asks me to
24 provide my opinions.
25 **Q. Is Sammy Jo Reeder the person who**

Page 16

1 **appointed you as a consultant for Interstate?**
2 A. Yes.
3 (Exhibit No. 1 was marked for
4 identification.)
5 **Q. (By Mr. Votava) Mr. Reeder, I've given**
6 **you Exhibit No. 1, which was produced to me by**
7 **Interstate, and it is the "Annual Registration**
8 **Report" for Interstate Underground Warehouse and**
9 **Industrial Park, Inc., as of September 2018;**
10 **correct?**
11 A. That's what it appears to be. The
12 document speaks for itself.
13 **Q. Okay. A few questions. I notice the**
14 **secretary is an individual named Amanda Plotner. Do**
15 **you see that? In the section there for "Officers."**
16 **MR. DAVIDSON: (Indicating.)**
17 A. Yes. Yes.
18 **Q. (By Mr. Votava) Amanda Plotner is your**
19 **personal assistant; correct?**
20 A. No.
21 **Q. Who is -- strike that.**
22 **Who is she?**
23 A. Who is what?
24 **Q. Who is Amanda Plotner at Interstate?**
25 A. She is an employee of Interstate



Page 53

1 **the number one priority of Interstate management?**

2 A. I'd say that was one of the number one
3 priorities, yes.

4 **Q. Interstate --**

5 A. That's my opinion that would be important.

6 **Q. Interstate should never unnecessarily --**
7 **strike that.**

8 **Do you agree that Interstate cave should**
9 **never do anything unnecessarily that might hurt the**
10 **businesses in the cave?**

11 A. Sure.

12 **Q. You have never called the Kansas City Fire**
13 **Department regarding a fire on the Interstate cave**
14 **surface; true?**

15 A. I think that's true, uh-huh.

16 **Q. To your knowledge, no one at Interstate**
17 **has ever called the Kansas City Fire Department**
18 **regarding a fire on the Interstate cave surface;**
19 **true?**

20 A. No, I don't know if that's true or not.
21 It could be someone could have called that I wasn't
22 privy to that conversation.

23 **Q. And I said "to your knowledge." So I'll**
24 **restate the question.**

25 **To your knowledge, no one at Interstate**

Page 54

1 **has ever called the Kansas City Fire Department**
2 **regarding a fire on the Interstate cave surface;**
3 **true?**

4 A. No, I don't -- I don't -- I can't answer
5 that. It could -- it could happen. I'm not privy
6 to --

7 **Q. Sir --**

8 A. -- 24 hours a day, seven days a week. So
9 I'm sorry, but I -- I answered your question, I
10 thought.

11 **Q. Sir, I'm saying "to your knowledge."**
12 **Obviously, if a call happened and you don't know it,**
13 **then you wouldn't know it, would you? Correct?**

14 A. Well, how do I know that -- that -- if
15 it -- if they didn't tell me, then you're correct,
16 but --

17 **Q. And -- and that's the whole point. To**
18 **your knowledge, no one at Interstate has ever called**
19 **the Kansas City Fire Department regarding a fire on**
20 **the Interstate cave surface?**

21 A. Well, no, I can't say that. I mean, they
22 could have called them and -- and I'm not privy to
23 it; so that's my answer.

24 **Q. Well, if you're not privy to it, then**
25 **you -- it's not part of your knowledge; true?**

Page 55

1 A. No -- well, the way I -- I've answered the
2 question, but go ahead if you want to ask me another
3 one or something similar, but I -- sorry, but I
4 can't -- I'm not going to agree to something that
5 did not happen with my knowledge.

6 **Q. And that's the point. To your knowledge**
7 **and what you know, no one at Interstate has ever**
8 **called the Kansas City Fire Department regarding a**
9 **fire on the Interstate cave surface?**

10 A. No, I can't -- I -- I -- again, I -- I
11 can't say that. They could have -- someone could
12 have called, and how many people besides me were
13 working on this thing?

14 MR. DAVIDSON: Mr. Reeder, I think what
15 he's trying to ask you -- what he is asking you is
16 you're not aware of anyone from Interstate calling
17 the fire department regarding a surface fire?

18 THE WITNESS: That's -- that's right.
19 Okay.

20 **Q. (By Mr. Votava) I'll restate it.**

21 A. I'm sorry. Yeah.

22 MR. VOTAVA: Thank you.

23 **Q. (By Mr. Votava) He's smarter than I am.**

24 A. No, that -- I -- I -- I just --

25 **Q. You have the better lawyer. He's able to**

Page 56

1 **get that out of you.**

2 A. No, I know that you're all great, but I
3 didn't -- I answered the question, I thought.

4 **Q. I'm sorry. You're not aware of anyone at**
5 **Interstate ever calling the Kansas City Fire**
6 **Department regarding a fire on the Interstate cave**
7 **surface; true?**

8 A. Yeah, to my knowledge and recollection
9 today, yes.

10 **Q. You're not aware of anyone at Interstate**
11 **calling about any -- strike that.**

12 **You're not aware of anyone at Interstate**
13 **calling the Kansas City Fire Department about any**
14 **fire before October 20, 2018; is that true?**

15 A. No, that's not true.

16 **Q. Are you aware of an instance in which**
17 **someone at Interstate called the fire department**
18 **before October 20, 2018?**

19 A. Yes.

20 **Q. Who?**

21 A. Pro Foundation.

22 **Q. Who is Pro Foundation?**

23 A. That's a lessee that had a -- had a lease
24 in the -- in Interstate.

25 **Q. When did they call the fire department?**

